United Nations S/2016/870

Security Council

Distr.: General
19 October 2016

Original: English

Identical letters dated 17 October 2016 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and the President of the Security Council

Upon instructions from my Government, I have the honour to transmit herewith a copy of the letter dated 14 October 2016 from the Minister for Foreign Affairs of the Republic of Iraq, Ibrahim Al-Jaafari, addressed to the President of the Security Council regarding the Turkish military incursion into Iraqi territory (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Council.

(*Signed*) Mohamed Ali **Alhakim**
Ambassador
Permanent Representative

16-18194 (E) 251016 261016

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Annex to the identical letters dated 17 October 2016 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Arabic]

Iraq is currently waging a war against global terrorism in order to defend itself and all the States of the world. Its army and various security forces are engaged in momentous battles against Islamic State in Iraq and the Levant (ISIL), which is in control of certain Iraqi cities. On 3 December 2015, Turkish military forces comprising hundreds of soldiers and a number of tanks and armoured vehicles crossed the internationally recognized borders of Iraq and penetrated some 110 km into its territory. They set up camp in the Ba'shiqah region, near the city of Mosul, in northern Iraq. Those military movements were executed without prior consultation and coordination with the federal Government of Iraq and are therefore an act of aggression under the Charter of the United Nations and the relevant provisions of international law.

In its letter of 25 June 2014 addressed to the Secretary-General (S/2014/440) and its letters of 20 September 2014 (S/2014/691) and 11 December 2015 (S/2015/963) addressed to the President of the Security Council, Iraq stressed that the military training, advanced technology and weapons it needs to fight the ISIL terrorist entity must be provided in accordance with the relevant bilateral and multilateral agreements, with full respect for the national sovereignty and Constitution of Iraq, and in coordination with the Iraqi armed forces. Accordingly, Iraq rejects, strenuously opposes and condemns in the strongest possible terms any military movements aimed at countering terrorism that are executed without prior consultation with the federal Government of Iraq and without its approval.

In its letter of 11 December 2015, Iraq called on the Security Council to shoulder its responsibility to maintain international peace and security pursuant to Articles 24 and 34 of the Charter by protecting Iraq and preserving its security, sovereignty and territorial unity and integrity, which Turkish forces violated when they entered Iraqi territory without the knowledge or approval of the federal Government of Iraq. We also called on the Security Council to order Turkey to withdraw its forces immediately and to ensure, by all available means, that those forces retreat immediately and unconditionally to the internationally recognized border of the two countries. Unfortunately, the Security Council did not take any action to fulfil the legitimate request of Iraq calling for the retreat of those forces to the internationally recognized border.

In that same letter, Iraq reaffirmed that it believed that disputes should be resolved through dialogue. It also stressed that it was highly desirous of preserving good-neighbourly relations and mutual respect with Turkey, and had therefore attempted to control the situation through diplomatic means and bilateral discussions. However, those efforts have failed to persuade Turkey to withdraw its forces, which are occupying Iraqi territory.

Pursuant to the Charter, Article 52, concerning the peaceful settlement of disputes through regional organizations, the Council of the League of Arab States, meeting at the level of ministers of foreign affairs in extraordinary session on

24 December 2015 in Cairo, adopted resolution No. 7987. In that resolution, the Council of the League condemns the Turkish Government for the incursion of its forces into Iraqi territory; considers the incursion to be a violation of the sovereignty of Iraq and a threat to Arab national security; and demands that the Turkish Government immediately and unconditionally withdraw its forces from Iraqi territory. The Council of the League reaffirmed that position in its resolution No. 653, which it adopted at its twenty-seventh ordinary session at the summit level on 25 July 2016 in Nouakchott. Unfortunately, the Turkish Government has not complied with either of those resolutions.

Turkey has claimed that Iraq has harboured members of the Kurdish Workers Party (PKK). Those claims are not true. On 21 March 2013, Turkey signed a so-called peace agreement with Abdullah Ocalan, the leader of PKK. One of the paragraphs of that agreement provides that the armed members of that group would move into Iraqi territory. When that agreement was signed, Iraq condemned that paragraph and considered it to be an infringement of its sovereignty and a threat to security and peace in Iraq and the region. It also sent a letter of protest on 16 May 2013 to the League of Arab States and the United Nations. Yet, now, Turkey justifies its presence in northern Iraq by stating that it is pursuing the very same PKK that, in 2013, it demanded should withdraw to Iraq under the terms of the above-mentioned peace agreement.

Iraq is now engaged in a momentous battle to liberate Mosul from the clutches of the terrorist entity ISIL. Owing to tactical considerations related to the rules of engagement that the various Iraqi forces tasked with liberating Mosul will follow, and given that the Turkish forces are situated near the battle lines with the forces of the terrorist organization ISIL in the absence of a request from the Iraqi Government or its authorization, those forces will treated as being non-friendly forces and, when absolutely necessary, will be dealt with in accordance with the provisions of the Charter, Article 51, which provides that States have the inherent right of individual or collective self-defence if an armed attack occurs against a Member of the United Nations. The Security Council will be notified immediately of any measures taken in exercise of the right of self-defence set out in Article 51.

In conclusion, I should like to reiterate my Government's call on the Security Council to fulfil its role and ensure, by all available means, that the Turkish forces retreat immediately and unconditionally to the internationally recognized border of the two countries.

(*Signed*) Ibrahim **Al-Jaafari**
Minister for Foreign Affairs of the Republic of Iraq

United Nations S/2016/871

Security Council

Distr.: General
18 October 2016
English
Original: Russian

Letter dated 14 October 2016 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit to you a concept paper for the open debate of the Security Council on the topic: "Women and peace and security" to be held on 25 October 2016 (see annex).

I should be grateful if you would arrange for this letter and its annex to be circulated as an official document of the Security Council.

(*Signed*) V. **Churkin**

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Annex to the letter dated 14 October 2016 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

[Original: Russian]

Open debate in the Security Council on the topic: "Women and peace and security: implementing the common agenda"

Concept paper

In 2000, the Security Council adopted resolution 1325 "Women and peace and security" which, for the first time, focused on the impact of armed conflict on women and girls, the role of women in peacebuilding and the gender dimensions of peace processes and conflict resolution. Since then, the Security Council has adopted seven additional resolutions on the topic "Women and peace and security" including resolution 2122 (2013), in which the Council reiterated its intention to convene a high-level review to assess progress at the global, regional and national levels in implementing resolution 1325 (2000). To prepare for that review, the Security Council invited the Secretary-General to commission a global study on the implementation of resolution 1325 (2000) highlighting examples of good practice, implementation gaps and challenges, as well as emerging trends and priorities for action.

The open debate held in the Security Council in October 2015 to review the implementation of resolution 1325 (2000), in which 110 speakers participated, generated an unprecedented level of interest. The Security Council unanimously adopted resolution 2242 (2015), in which it recognized the significance of the fifteenth anniversary of resolution 1325 (2000) as well as the opportunity and need for far greater implementation of the women and peace and security agenda.

A number of Member States noted that despite progress made since the adoption of resolution 1325 (2000), implementation of its provisions was still lagging. Women and children still suffer disproportionately in conflict and post-conflict situations, especially now that terrorist groups such as Boko Haram and Islamic State in Iraq and the Levant (ISIL) are specifically targeting women. The need was also stressed to include women on an equal footing with men at all stages of peace processes, peacekeeping and peacebuilding. Member States and regional organizations that participated in the open debate made more than 160 political, institutional and financial commitments.

The 2016 report of the Secretary-General on women and peace and security provides information on progress made in the follow-up to the High-level Review, including the recommendations by the Secretary-General in the global study and the new commitments made in the context of the Review, as well as appropriate monitoring and evaluation arrangements for the United Nations system.

The report also highlights noteworthy advances in the implementation of resolution 1325 (2000). Today, more and more women are involved in peace talks, more and more peace agreements include provisions that relate to the specific needs of women and girls and support their human rights, and more and more security sector personnel receive training in preventing and responding to sexual and other violence against women. Nevertheless, further concerted efforts are needed.

Scope of the open debate

During its presidency of the Security Council in October 2016, the Russian Federation will convene the annual open debate on the topic "Women and peace and security" to consider progress made in fulfilling the commitments of Member States, regional organizations and the United Nations in relation to the High-level Review on the topic "Women and peace and security" conducted in October 2015, as well as future steps to advance the women and peace and security agenda.

Member States, United Nations entities, relevant regional organizations and civil society should promote the equal and effective participation of women in efforts to maintain and strengthen peace and security. Women's needs should be included in security planning and monitoring. United Nations entities need to further improve coordination of gender mainstreaming in peacekeeping and peacebuilding missions. All parties to armed conflicts must commit to complying with their obligations under international humanitarian, refugee and human rights law in order to ensure protection of the civilian population and, in particular, women and girls.

In his 2015 report (S/2015/716), the Secretary-General recommended priority areas for action. The open debate will provide a platform for Member States and regional organizations to share their experiences and information on efforts to fulfil the commitments they made in October 2015 and the outcome of the High-level Review. It will also provide an opportunity to consider how Member States, regional organizations and the United Nations can continue to promote the implementation of resolution 1325 (2000) and to address obstacles and constraints which have emerged over the 16 years since its adoption.

No outcome document is planned for adoption at this meeting.

Date/time: 25 October 2016, 10 a.m.

Venue: Security Council chamber

Speakers:

(a) The Secretary-General

(b) The Under-Secretary-General/Executive Director of UN-Women

(c) Ms. Rita Lopidia, Executive Director and Co-founder of the EVE Organization for Women Development, South Sudan (on behalf of the NGO Working Group on Women, Peace and Security)